

29.09.2021

Ct No. 34

SL. No. 6

Rakib (PA)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Through Video Conference)**

CRR 1430 of 2011

Amit Kumar Dhara
Versus
M/s. Giriraj Rice Mill

In Re: An application under Section 407 of the Code of Criminal Procedure, 1973

The present application was preferred under Section 407 of the Code of Criminal Procedure for transfer of the case being C.R. No. 608 of 2008 from the Court of the learned Chief Judicial Magistrate, Burdwan, to the Court of learned Chief Judicial Magistrate, Alipore, District South 24 Parganas.

The contention advanced by the petitioner for transfer is regarding his health and treatment which he was undergoing at Peerless Hospital in Kolkata. I find the case was instituted under Section 138 of the Negotiable Instrument Act and the said act provides for the cause of action and the jurisdictional Court before which the case is to be filed.

Records of this revisional application reflect that the matter appeared on 20.06.2011, however, thereafter no persuasion was made.

Having regard to the fact that there has been change of circumstances since the filing of the instant revisional application for transfer and as no efforts have been taken for the last ten years, I am of the view that at this belated stage no interference is called for in respect of the prayers as advanced by the petitioner.

Accordingly CRR 1430 of 2011 is dismissed.

Pending application, if any, is consequently disposed of. Interim order, if any, is hereby vacated.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)